

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1896 – SB 1935

April 19, 2012

**SUMMARY OF AMENDMENTS (016866, 016586, 015893):** Effective July 1, 2013, requires an advanced practice nurse or physician assistant to be under the direct supervision of a licensed physician or osteopathic physician who is actively practicing spinal injections when performing invasive procedures involving any portion of the spine, spinal cord, sympathetic nerves of the spine, or block of major peripheral nerves of the spine in an office-based surgery suite. Exempts from this requirement advanced practice nurses or physician assistants performing major joint injections except sacroiliac injections, or soft tissue injections, or epidurals for surgical anesthesia or labor analgesia in unlicensed settings. Establishes restrictions on the type of physicians authorized to practice interventional pain management. Authorizes the Boards of Medical Examiners and Osteopathic Examination to discipline a physician who violates the provisions of this bill, including the imposition of civil penalties of up to \$1,000 for every day the provisions are violated.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:**

**Unchanged from the original fiscal note.**

Assumptions applied to amendments:

- There may be an increase in investigations and prosecutions of physicians who improperly delegate or supervise these procedures and for advanced practice nurses and physician assistants who improperly perform procedures.
- Any cost incurred to perform the investigations will be not significant and can be accommodated within existing resources of the Boards of Medical Examiners, Nursing and Osteopathic Examination and the Committee on Physician Assistants.
- Any rulemaking can be accomplished during regularly scheduled Boards meetings and will not result in a significant increase in expenditures.
- Pursuant to Tenn. Code Ann. § 4-3-1011, all health-related boards are required to be self-supporting over a two-year period. As of June 30, 2011, the Board of Medical Examiners had a cumulative balance of \$1,465,207.30, the Board of Nursing had a

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cumulative balance of \$2,001,573.33, the Board of Osteopathic Examination had a cumulative balance of \$227,559.19, and the Committee on Physician Assistants had a cumulative balance of \$194,656.13.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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